

**MINUTES OF THE SEPTEMBER 27, 2004, MEETING OF THE
EASTERN SNAKE PLAIN AQUIFER WORKING GROUP
EXPANDED NATURAL RESOURCES INTERIM COMMITTEE
1:00 p.m. Burley Inn, Burley Idaho**

The meeting was called to order at 1:30 p.m. by Co-Chairman, Representative Dell Raybould. The following working group members were present: Co-Chairman Senator Laird Noh, Senator Stanley Williams, Senator Dean Cameron, Senator Bert Marley, Representative JoAn Wood. Representative Scott Bedke, a member of the full Committee, was also present. Senator Don Burtenshaw, Senator Brent Hill, Senator Clint Stennett, Representative Maxine Bell, Representative Wendy Jaquet, Representative Jack Barraclough and Representative Tim Ridinger were absent and excused. Additional Legislative members including Speaker Bruce Newcomb, Representative Leon Smith and Representative Sharon Block were also in attendance as well as Mr. Clive Strong, Attorney General's Office, Mr. Bill Block and Mr. Dean Stevenson. Minutes of the meeting were taken by Representative JoAn Wood.

No motions were made or votes taken during the course of this meeting. The purpose of the meeting was to review the strawman proposal that has been prepared and distributed for comments to the various interests involved in the Eastern Snake Plain Aquifer Mitigation, Recovery and Restoration Agreement for 2004. The proposal has also been distributed to numerous water users and media interests and has been the subject of at least one newspaper article.

Mr. Strong reviewed the basic terms of the conceptual settlement framework and noted that the funding issues continue to be discussed. The proposal is simply that and no specific terms have been decided upon at this point in time.

During his presentation, Mr. Strong reviewed the various premises upon which the proposal is based. The proposal is designed to effectuate a net change of 600,000 to 900,000 acre feet annually in the Eastern Snake Plain Aquifer water budget through implementation of water supply, water management, and water demand reduction measures. The conceptual settlement framework, in part, proposes target goals for each category of measures, an implementation plan with check-in dates to ensure satisfactory progress is being made toward achieving the target goals and, if not, a mandatory process for requiring changes to the framework to achieve the 600,000 to 900,000 acre-feet annual change in the ESPA water budget. The framework is premised on demonstrating real not paper changes to the ESPA water budget. A monitoring

program is also proposed as well as changes to water administration to ensure the changes to the water budget occur and are not subverted by future water management decisions. Costs for those measures providing mitigation for senior water right holders will be the responsibility of junior water right holders, and implementation of these measures by the junior water right holders will constitute mitigation for out of priority diversions. The costs for other measures in the framework will be paid for by those receiving the benefit of those measures.

Following concluding remarks by the co-chairs and a brief discussion regarding October meetings of the ESPA Working Group and the Expanded Natural Resources Interim Committee, the meeting was adjourned by Representative Raybould at approximately 4:00 p.m.